A

SERMON

Preach'd before the

King and Queen,

UPON

The Second *Sunday* in Advent, being the fifth of *December*, 1686.

By the Reverend Father *Dom.* PHILIP ELLIS, Monk of the Holy Order, of Saint *Benedict* and of the *Engliſh* Congr. Chaplain in Ordinary, and Preacher to Their MAJESTIES.

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MATTH. 11. 2.

Joannes in vinculis.

John in Priſon.

STrange ſurprizing News, (Sacred Majeſty) John *in Priſon*. *John* the Child of Prayer, the gift and darling of Heaven, the mighty ſubject of an Angels Embaſſie, himſelf an Angel, and is he *Luke* 1. 13. 11. *Matth.* 11. 10.

he in Priſon? *John* fill'd with the Holy Ghoſt in the very Womb, filling his Mother with Prophecy, and all people with Admiration, as ſoon as he appeared in the world, and is he *in Chains*? Is this the Character of the greateſt Man *who ever roſe among the Sons of Women*? Is this the Herald, the Precurſor ſent to prepare the *Meſſiah's* way *in the Spirit and Power of* Elias? But he is tamely ſeiz'd, and committed to Goal, when *Elias* would have call'd down fire from Heaven to conſume the Sacrilegious hand. Is this the powerful Man who was *to convert the hearts of the Fathers to the Children, and the Diſobedient to the Wiſdom of the Juſt*? I ſhould not have wondered at his Fathers incredulity, had he foreſeen the paſſage of this day; he would have been ſtruck dumb without a Miracle, horrour and amazement would have done the Work; unleſs I may call it a greater Miracle, that *John IN PRISON heard the Works of Chriſt*, than all the Miraculous Works he heard. In ſhort, is this the Man whom *Herod* not only eſteem'd, but alſo knew for certainty to be *Juſt and Holy*? *Sciens illum juſtum & Sanctum*; and what could have endear'd

Luke 1. 15. 41. 66.

In vinculis. Vulgat.

Matth. 11. 11.

Luke 1. 17.

2 *Kings* 1. 10.

Luke 1. 17. Et Incredulos ad prudentiam juſtorum. Vulgat.

ἐτόλμα. Metuebat. Vulg. reverebatur Rub. in concord.

endear'd him ſo much to a wiſe Prince? and St. *Mark* ſeems to imply no leſs, *cuſtodiebat eum, he kept him*; who would doubt but as a Councellour and a Friend? and ſo the Evangeliſt goes on, *audito eo multa faciebat, he did many things by his advice, and heard him gladly.* So far 'tis very well; 'tis what we expected. But St. *Luke* ſaies, *he added one thing over and above, adjecit & hoc ſuper omnia, he ſhut him up*, not in his Cloſet, but in *Priſon*. Strange Paradox of Providence! ſtrange turn of Fortune! ſtrange Embleme of human Mutability! a freſh inſtance of that old Leſſon, *put not your truſt in Princes, nor in the Sons of Men, in whom is no Salvation*, for JOHN *IS IN PRISON.*

Marc. 6. 20. συνεῖχεν αὐτὸν. conſervabat. Montan.

Luke 3. 20.

Pſalm. 146. 3.

But what real or pretended Crime could be laid to the charge of a perſon ſo uſeful to his Prince, ſo ſerviceable to the Publick, ſo juſt, ſo holy and inoffenſive in his Private capacity? The Goſpel being but an Abridgement of Tranſactions, ſets down only the immediate cauſe, the immediate provocation, becauſe, ſaies St. *Luke*, Herod *the Tetrarch was reproved by him, cum corriperetur ab eo*, for Herodias *his Brothers Wife*, (*becauſe he had Married her*, ſaies St. *Mark*, his

Luke 3. 19.

Mark 6. 17.

his Brother being yet alive,) *and for all the evils which he had done.*

But *Josephus Antiq.* l. 18. c. 10. as a Statesman and Politician dives into the bottom of the difference, and discovers the first spring which moved *Herod* against the Baptist; because he excited people to the practice of Virtue and Justice, *quia præcipiebat Judæis virtuti dare operam, justitiam colere:* upon which Doctrine, as guilt is ever jealous, but commonly in the wrong place, corrupt Ministers, and a Government noted for many Injustices, pretended to ground their politick and irreligious suspition, that it would be of *dangerous consequence*; a general reason for every thing one has a mind to obstruct, when no other reason can be given: That it was not yet time to suffer such Doctrine to be preached, *nè novi aliquid fiat*, as the Historian continues, *least it should cause some disturbance in the State*; wherefore, saies he, *upon this sole suspicion*, not for any real ground of it, but upon the apprehension of consequences meerly imaginary, *John* began to decline in the *Tetrarch*'s favour, the *Tetrarch* began to fear whom he ceas'd to love; he first opened his Ears to Accusations against him,

Et de omnibus malis quæ fecit. *Luke*, ibid.

him, and then his Hand to ſeize him, *tenuit eum*, and behold *Joannes in Vinculis*, *John* is in Priſon.

And here let us leave a while this Martyr of Juſtice, to conſider a little the weight and importance of his Doctrine; How much JUSTICE conduces to the happineſs both of Prince and People, when its Dictates are followed, and what reparation is required when they are neglected. The firſt comprehends the Nature, the Excellence, and the ſeveral Species of Juſtice, and ſhall be treated in my firſt part: The ſecond regards the violation of it, as it is reparable; where I ſhall ſpeak of RESTITUTION, and Conclude.

Let us beg a portion of his Spirit, of his Firmneſs and Courage, that I may not ſink the Reputation of that Cauſe, which he ſo glorioufly maintain'd; but as I cannot hope to bear it up to that height, ſo it is my comfort that I need not, ſince I ſpeak to an Aſſembly already prepar'd to receive a Doctrine ſo agreeable to Reaſon, and eſſential to the Law of Chriſt, who came into the world, *to publiſh his Word to Jacob, his juſtice and judgments to Iſrael*, when the Angel Pſal. 147. 19.

gel ſaluted the B. Virgin in the ſame terms we make our uſual addreſſes to her,

Hail Mary *full of Grace*, &c.

IT is the firſt and greateſt commendation of Juſtice, that it comprehends all virtues in it ſelf, runs through every branch of the Divine and Humane Law, and verifies the bold aſſertion of a Learned Writer, that, as never any thing was well done which was not directed by Juſtice; ſo never any thing was done with a right intention, if it was not for the ſake of Juſtice. The Ancient Author of the Imperfect Work among thoſe of St. *John Chryſoſtom*, ingeniouſly propoſes Juſtice as the *Vine*, all other Virtues as the *Branches* which are vegetated and nouriſhed with the Juice and Spirits, which are tranſmitted to them from this *Mother-Stock*. And what can be a greater eviction of this Truth, than the *Holy Ghoſt's* generally uſing that Name for the perfection of all, and promiſcuouſly for every Virtue? For when he would deliver the *verbum breviatum*, ſpeak much of a Man in a little,

Author. oper. impert. apud Chryſoſt. Hom. 34.

little, a Panegyrick in a word, he calls him *Juſt*; Thus when he would raiſe in our minds a high eſteem of *Noe*, he calls him a *juſt and perfect man*, *Noe vir juſtus atque perfectus*; when he would commend the extraordinary Piety and ſingular Prudence of St. *Joſeph*, *Joſeph cum eſſet juſtus*; when he would repreſent in one view all the virtues of our *Baptiſt*'s Parents, *erant ambo juſti*: And in fine, when he had drawn the Portraict of our Redeemer, with his Government upon his Shoulder, to expreſs his Sovereignty, he calls him *Wonderful*, for his Conduct; *Councellor*, for his Knowledge; the *Mighty God*, for his Power; the *Everlaſting Father*, for his Affection to his People; the *Prince of Peace*, for the Tranquility of his Reign; and this, ſaies he, is his Name, his Stile, Character and Property, *vocabiter nomen ejus*; all which he ſums up elſewhere in one word, *Dominus juſtus noſter*, our Lord, our King the *Juſt*.

Gen. 6. 9.

Mat. 1. 19.

Luke 1. 6.

Iſa. 9. 6.

Hoc eſt nomen quod vocabunt eum.

Jer. 23. 6.

From which, and many ſuch inſtances it appears, as St. *John Chryſoſtom* obſerves, That a juſt man is a denomination which implies all virtue; that Juſtice (as he ſpeaks in *Pſalm* 14.) is a compound of many vir-

Hom. 23.

Juſtitia conflatur ex multis virtutibus, & una virtus activa non facit virtutem.

tues, and one active virtue does not make a virtue, *una virtus activa non facit virtutem.* How, Great Doctor! is not one Virtue a Virtue? No, replies he, no more than the loſs of one Plank makes a Wreck, or one Stone can build an Houſe: A Ship cannot be built without Planks, nor a Houſe without Materials; but Planks without mortreſſing, and Stones without Cement are of little or no ſervice: ſo are all other Virtues without Juſtice; They are looſe and diſjoyned, they cannot denominate a man Virtuous, becauſe they cannot denominate him JUST.

I know our Pulpits continually ring with the praiſes of Charity, as the Mother and Miſtreſs of all other Virtues, and little is heard of Juſtice. But you are to obſerve that the Pulpit, in preaching *Chriſtianity*, ſuppoſes *Morality*; as one who labours to beautifie and adorn a Fabrick, ſuppoſes the Foundation is well laid, otherwiſe it would be madneſs to ſpend his Time, his Mony and Induſtry upon a Houſe which may likely fall upon his Head, and bury him with his Art and Charges in the Rubbage.

Now

Now Juſtice is the ground of Moral Vertues, as Charity is of the Chriſtian: and as it is a folly to think to be *pious* without firſt being *honeſt*; ſo it is a fond hope, and ſenſeleſs endeavour to ſuperſtruct *Charity* where *Juſtice* has not ſecur'd the Foundation.

To proceed therefore from the more general and larger acceptation of the word, to the common and more reſtrained uſe of it, as it ſignifies a particular virtue, it is defin'd by Divines and Moraliſts, after *Ulpian*, *conſtans & perpetua voluntas, jus ſuum cuique tribuendi, a conſtant and unchangeable Will, and Reſolution of giving to every one what belongs to him*, whether in Buying and Selling, or any ſort of Trade or Exchange, which we call *Commutative Juſtice*: or by dealing out Rewards or Favours, with reſpect to the Merit, or Fidelity of Perſons, which we call *Diſtributive Juſtice*: or performing that Service, which every one in his reſpective ſtation is bound to exhibit to the Publick, which is termed *Legal Juſtice*, or reſtoring the Goods and Effects of another, which we have deſtroyed, or unjuſtly detained, which is called *Reſtitution*. I purpoſely abſtain from mentioning that ſort of Juſtice,

Ulp. L. de juſt: & de jus: & jure.

which inflicts Puniſhments, and is called *Vindictive*: I ſpeak nothing of it, I ſay, partly becauſe, tis a Branch of the Diſtributive; and partly becauſe 'tis more the buſineſs of the *Bar*, than of the *Pulpit*; and becauſe I deſire the Audience ſhould not think I exceed my Commiſſion; I ſpeak of the Divine, not of the Human Juſtice, I ſummon you to the Inward Tribunal; and if I threaten Puniſhment, I mean not that which is inflicted by the Temporal Power.

This premis'd, I affirm, any wilful and premeditated offence againſt one or more of theſe ſpecies of Juſtice, conſtitutes a Man formally unjuſt; and this not only by Committing, or doing wrong, but alſo by Omitting, or neglecting to do what we ought, *neque minus omiſſione reddi hominem injuſtum quàm commiſſione*, ſay the Divines; And in ſuch caſes, the Dictates of right Reaſon, as well as the precepts of Religion, command us to make reparation if we deſire to be forgiven; of which more in my Second part; at preſent, it will be ſufficient to illuſtrate the Doctrine by an Example or two, in each of theſe heads, as far as the Time will allow.

Firſt,

First, If you have taken advantage of the neceſſities of your Neighbours and upon that account ſold things dearer than the true value or common price; you have ſinn'd againſt *Commutative Juſtice*, and ſtand oblig'd to Reſtitution. If you have laid hold of the inadvertencie or ignorance of the ſeller, and ſurpriz'd him into an inconſiderate bargain; you have ſinn'd againſt *Commutative Juſtice*: which ſentences you to Reſtitution. What you call a good bargain is a deceit: you have not bought, but cheated.

Secondly, If you aſperſe the Reputation of your Neighbour, either take away his good Name, or notably prejudice it, by Detraction, Drollery Inventing or Diſperſing Satyr, Impoſing a Falſe, or Revealing a Secret Crime, you have offended againſt *Diſtributive Juſtice*, which enacts *honour to whom honour* is due, and obliges you to Reſtitution, even with the peril of your own fame, under pain of being the Averſion of Mankind, *hominum abominatio*, ſaies the wiſe Man: of being excluded from the common ſociety of Men, *cum Detractoribus nè comedas*: This ſin of Detraction, being one of thoſe for which God delivers Men over to a repro-

Rom. 13. 7.

Prov. 24 9.

21.

bate

bate ſenſe, as he did the *Gentiles*; *Detractores*, *Deo odibiles*, &c. For if one who has wrong'd another in his goods, is bound to repair the injury with the expence even of his own, (as all Men acknowledge;) with more reaſon ſhall he, who has committed a crime of a more heinous nature, and in an higher ſubject, be adjudged to a ſeverer compenſation. And if Calumny be a greater crime than Theft or Rapine, becauſe it iſſues from a deeper malice, and leaves behind it a greater prejudice; how came you to perſwade your ſelves the obligation of reſtoring, ſhould be leſs? If the perſon injured be ſacred, it is not a Simple Defamation, but a Sacriledge; It is an Invaſion as well upon the Religion as Government; and to deface the Character of your Temporal or Spiritual Superiours, is ſo much worſe than prophaning Churches and robbing Altars, as it is worſe to mangle or deſtroy God's living Repreſentation, than to demoliſh the dead: *Diis non detrahes, & Principi populi tui non maledices*: *Thou ſhalt not revile the Gods, nor ſpeak evil of the Ruler of thy People*; *Exod.* 22. 28. Speak not evil one of another; *James* 4. 11. *In cogitatione tuâ Regi nè detra-*

Rom. 1. 28. and 30.

has

has, Debaſe not the King in thy very thoughts, Wherefore then were you not afraid to ſpeak evil of my Servant? Num. 12. 8. Eccl. 10.20.

Thirdly, All acceptation of perſons, whether in deciding differences between Man and Man, or in conferring *real Honours*, places of Truſt and Preferment in the Common-wealth, is a violation of *Diſtributive Juſtice*, which obliges the Magiſtrate, if not to proportion the reward to the Merit; at leaſt to place the Reward with the Merit: nor to accept perſons, but upon account of a greater deſert, either of *Service*, or *Capacity*. In all other caſes, that deciſion of St. *James* falls heavy upon Men in publick Employments; *Si perſonas accipitis, peccatum operamini, If you have reſpect to perſons, you commit ſin, being convicted by the Law, as Tranſgreſſours of it.* But what Law is there which binds a Man to the choice of thoſe who are to ſerve under him, or in whom he pleaſes to repoſe a confidence? James 2. 9.

Firſt, The Law of Nature, which is nothing but the in-born Rudiments of Juſtice, prompting us to give every one, what in right and equity belongs to him; *reddere unicuique quod ſuum eſt*: Merit and Retribu-

tion

tion are Relatives; Merit therefore is a Right which Equity is bound to acknowledge, and what Equity acknowledges, Juſtice is bound to pay. Publick ſervice, and ſuffering for the Publick are of equal weight: they ballance each other when Juſtice holds the Scale, they deſerve an equal Reward; but he that ſuffers for Juſtice-ſake, weighs down Both. *Innocence* is the Palm-tree which naturally grows under the weight, and by conſequence ought to riſe ſo much the higher, as it was more depreſſed.

Secondly, The Law of God, as well de-
Deut. 1.16. claring as acting; *nulla erit diſtantia perſonarum*, *there ſhall be no diſtinction of Perſons*, ſay the Pandects of Heaven, neither at the Bar, nor at the Board, nor upon the account of Religion, much leſs of ungrounded
John 7. 24. Suſpition. *Nolite judicare ſecundum faciem*, ſaies our Bleſſed Saviour, *judge not according to the face*, which ſome men ſet upon things or perſons; No, nor according to the opinion of the Greater number, who are ſwayed by a contrary Intereſt, ſaies the Eter-
Exod. 23.2. nal Juſtice; *in judicio non acquieſces plurimorum ſententiæ, nec accipies cujusquam perſonam*,

nam, ut à vero devies: in Judgment, i. e. in aſſigning rewards as well as otherwiſe, *do not acquieſce to the opinion even of the moſt, nor accept the perſon of any Body whatſoever*, ſo far as to *depart from what is right* in thy own judgment: as if he had ſaid, If you do exclude perſons whom you think deſerving in your own judgement, either upon *appearances*, or the erring opinion *even of the moſt*, you will depart from Juſtice. Now, the New Law, raiſing every poſitive Commandment of the Old to a greater perfection, more is required in this kind of the Chriſtian Magiſtrate, than of the other, who acts meerly by the Law of Nature and Dictamen of Reaſon, or the brighter, yet imperfect and glimmering Light of the *Moſaical*. Wherefore St. *James* 2. 1. ſeriouſly admoniſhes us to have a care *That we do not hold the Faith of our Lord Jeſus Chriſt, together with reſpect of perſons, in perſonarum acceptione nolite poſſidere fidem Domini noſtri Jeſu Chriſti*; implying that ſuch a proceeding is contrary to the Oeconomy and Juſtice, and by conſequence, is a Prevarication of the Faith we profeſs.

And the reaſon of this is evident, for every perſon who confers imployments, or has dependences, acts either *ex officio*, as the ſupream Magiſtrate; a man upon his own Eſtate, a Maſter in his Family; or elſe *by Commiſſion*, as ſubordinate Officers.

If he act *ex officio*, Juſtice and his Duty to the Publick Weal oblige him to delegate his Power to ſuch as his own Judgement and Conſcience repreſent to him as the moſt faithful and ableſt Miniſters: For as he is obliged to carry the Reputation of his Country and the Publick Good, not to any determinate degree, but as high as his utmoſt Prudence and Endeavours can reach: ſo is he bound in Juſtice to make uſe of thoſe Inſtruments which are beſt proportioned to that End; and where there is equal Capacity, or but little inferior, a more approved Honeſty and Tenderneſs of Conſcience ought to take place. If the perſon act only by *Commiſſion*, his Power is leſs, but his Duty is as great, in this kind, as far as his Power extends; and he is bound in Juſtice to put the Places which are in his Gift, not into ſuch Hands as will give moſt for them, (which is Extortion upon the Publick) or

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are neareſt related to him, (which is another ſort of Bribery, that of Affection,) or will more eſpouſe and advance his Intereſt, (which is but the Farming out an Office) but into ſuch as will be moſt Honeſt, and Careful, and Circumſpect: For though the beſt Man is not always the beſt Qnalified for Employment, yet Vertue is the better Title, where the Capacity is ſufficient, becauſe a Vicious Man can hardly be *Juſt*; for he wants the Divine Aſſiſtance, and bottoms his Honeſty only upon Moral Virtue, which does very ſeldom bear up its Name in practice, and when it does, generally the Temptation of Diſhoneſty is overcome, meerly by a ſenſe of Honour: a doubtful caſe, where a man is to conquer one Paſſion by another. Wherefore the Holy Fathers and Divines, I think of all Religions within the Pale of *Chriſtianity*, and I might take the *Jew* and the *Gentile*, the *Rabbi* and the *Philoſopher*, into the number: All Divines and Moraliſts, I ſay, unanimouſly agree, that ſuch as employ men who are corrupt in their judgments, exacting upon the Poor, taking Bribes, or diverting the Publick Stock, *&c.* are obliged to Re-

ſtitution, and to repair *their* Faults, if the Offendors do not do it themſelves, which indeed is poſſible, but not reaſonably to be expected.

4ly. But there is another ſort of Juſtice, which we call *Legal*, and touches not only men in Employments, but reaches all who are capable of ſerving the Publick, and from whoſe ſervice they are bound in Juſtice not to wirhdraw themſelves; bound not only to have *their Loyns girt*, and be found in a readineſs when they are called; but even in their ſeveral reſpective ſtations to promote the Publick Good, and prefer it to the Private, whether Reputation or Intereſt. For as every one is a part of the Civil Society, and enjoys the Bleſſings and Protection of it; ſo every one has a *Special Duty* incumbent on him to procure and promote the good of that Society: For the good of the *Part* is ordered to the *Whole*, and the good of the Whole communicates it ſelf to each Member. And therefore when a man behaves himſelf meerly paſſive to the Community, much more when he vilifies the Government, and exaſperates peoples mind againſt it; he is a *Monſtrous Mem-*

member of the Common-wealth, and is oblig'd to Reſtitution, that is, to rectifie, and attone for his former coldneſs and indifferency, with diligence for the future, with more than common Inſtances of Loyalty, and Endeavours to ſet their hearts right, which by his Example or Diſcourſes have been alienated from the Government.

Thus have I given you a ſlight view of Juſtice in all it's Branches, and crowded the Subject of whole Volumes, and indeed of ones whole Life into few words. And having ſhown the great Duty of Reſtitution to be far more obliging, and of far greater extent than people generally imagine; It is time I proceed to Treat of it in the common ſenſe and vulgar uſage of the Word, which imports only one ſort of *Reſtitution*, when another's Goods are unjuſtly taken or detain'd; whether by *Theft*, or *Robbery*, by *Rapine* or *Extortion*, and even *by forms of Law*. Your Attention, and my *Second Part*.

SECOND

SECOND PART.

Some, who in other matters accuſe the Catholick Chuch of impoſing too great ſeverities upon her Children, in this think her ſo impiouſly indulgent, as to connive at Injuſtices, to ſell Pardons for ſins, and to allow of unjuſt Poſſeſſions, provided ſhe goes ſhares with the Poſſeſſour; and in ſhort, that ſhe diſpenſes with all ſorts of Reſtitution, unleſs it be to her ſelf. But in Truth, *this laſt ſort is the only Reſtitution ſhe can diſpence with, and which ſhe has actually, ſolemnly, and irrevocably done, as I lately proved in reference to Abbey-Lands*: She can renounce her own Title, but not anothers; For in all other caſes it is, and ever was her Doctrine and practice, *ſicut non ſatisfit Deo. de injuria ſibi illata, niſi per pœnitentiam: ita nec proximo de re ſpoliata, niſi per juſtam Reſtitutionem*, as the great Maſter of our Schools expreſſes it; *As we cannot appeaſe our God for an injury done to him, but by a ſerious Repentance: ſo cannot we ſatisfie our Neighbour for uſurping his Goods, but by a full Reſtitution.* He had learnt this Doctrine of St. *Gregory*, whoſe Judg-

Sermon before the King upon All-Saints *of the Order of St.* B. Nov. 13.

S. *Thom.* Tom. 1. Opuſc. cap. 17.

Judgment is become that of the whole Church, being inſerted into the Body of our Canon Law: *Qui bona alterius*, &c. *Who unjuſtly detains the goods of another, muſt at the ſame time acknowledge he cannot do that Penance, or make that Satisfaction which will carry him to Heaven*, thó he may come off in this World, and in the eyes of Men, *unleſs he reſtore what he has unjuſtly ſeiz'd*. St. *Gregory* had learnt this Doctrine of St. *Auguſtin* who in his 54*th*. Epiſtle to *Macedonius*, a Man of great Authority in the *Roman* Empire, *ſi res aliena propter quam peccatum eſt, non redditur, non agitur pœnitentia, ſed fingitur*. If the thing wherein you ſinn'd by taking or detaining, be not reſtored, you do not repent, but counterfeit Repentance. And the reaſon of this is clear, for to obtain an *end*, we are obliged to uſe the *neceſſary meanes*. Now there are two ſorts of means, by which we are to work out our Salvation; both neceſſary, but not equally ſo: The firſt is *neceſſitas precepti*, neceſſary becauſe commanded, as Faſting and Alms-deeds, &c. which are then binding, when we are in the circumſtance and condition to perform them. The ſecond, *neceſſitas medii*, neceſſary,

Decret. Par. 2. de pœnit. Diſt. 5. Cap. *Falſas*.

Aug. Ep. 54.

ſary, becauſe the end, without the means cannot be obtained, as Faith in Chriſt in order to Eternal Life, the Love of God and our Neighbour, *&c.* Now God has affixt both theſe neceſſities to Reſtitution; that *of Command* is frequently repeated and urg'd in both Teſtaments. In the Old, having provided for his own Love and Service in very few Commandments, he imploys more than twice the number in ſecuring the Rights, and fenceing in the Goods of our Neighbour; and to imprint in us a greater horrour of uſurping them, he forbids even the Deſire, *Non concupiſces*; and to imprint in us a greater horrour of detaining them, he will not permit his own people to keep the wages of an hired Servant even till the next Morning. In the New Teſtament he does not repeat, but ſuppoſes the Moral Law as to *honeſty*; but proceeds to the perfection of it, a Conſummated Virtue. This *Zachæus* underſtood, who without expecting any particular Order from *Jeſus Chriſt*, promiſes; *Si quid aliquem defraudavi, if I have defrauded or wrong'd any one, I reſtore him four-fold.* This the Moral Law oblig'd him to: The other Article, *Behold I give*

Levit. 19. 13.

Luke 19. 8. 2 *Sam.* 12. 6.

half

half my goods to the Poor, was in complyance to the Evangelical, which enacts, *quod superest date Eleemosynam*; *what you have over and above* neceſſity and decency, *give it in Alms*. Now he that obliges us to give what is our own, will he diſpenſe with us from rendring what is not our own? Luke 11.41.

Secondly, This Duty of Reſtitution is neceſſary *neceſſitate medii*; 'tis *abſolutely neceſſary*; neither Divine, nor Human Power can diſpence with the performance of it; and nothing but a *formal* and *abſolute incapacity* can excuſe us; for no body can be oblig'd to what is impoſſible. Yet this abſolute incapacity does not take away the obligation, but only ſuſpends it for the time; for it ſtill returns upon us when we are able in any degree to comply with it: I ſaid, *not the Divine Power*; I ſaid it, and I prove it. For there are two injuries involv'd in every unjuſt action, or *quaſi-action*, that is, Non-reſtitution; the one to God, who ſuffers by the violation of his Commandment; the other to your Neighbour, who ſuffers by the loſs or detention of his Goods or Inheritance: Whence ariſe two diſtinct obligations; the one, of ſatisfying God, whoſe

honour and Sovereignty you have incroach'd upon by disobedience; the other, of satisfying your Neighbour, whose tears, whose wants, and even whose desires cry to Heaven for vengeance against you; *for our Lord hears the desire of the Poor*, saies the Royal Prophet. With this Load upon your Conscience, you place your self in your Oratory, or come to the Feet of your Confessour, you protest you are sorry for having offended God, and come to beg pardon of him *who will not despise an humble and a contrite heart*. No question God would regard your sorrow, and have compassion upon your tears, were the injury directed only against himself: But your Neighbour is a party offended too; you beg not pardon of him, you still retain his Goods, you grasp his Inheritance; his Children serve you upon their own Estates, *vade prius reconciliari fratri tuo*; Go then saies he, Go, and be first reconciled to your Brother, repair the wrong, or compound it. Till one of these be done, all your offerings are prophane; *Bring me no more vain oblations*; All your observance of Religious duties, *and even your appointed Feasts, my Soul hateth*: even the *Sabbaths*, which

Psal. 10. 17.

Psal. 51. 17.

Matth. 5. 24.

Isa. 1. 13.

14.

which I commanded. *Iniqui ſunt cœtus veſtri*; *your ſolemn meetings are iniquity*; They receive a tincture of injuſtice from that of the mind you bring to them. All your Alms are fruitleſs; They are not your own; *ex ſubſtantia tua fac Eleemoſynas*; to merit that Name, they muſt be done out of *your own ſubſtance*, not another's. Indeed *Charity covers a multitude of ſins*, but why does not St. Peter ſay *all ſins*, as Holy *Toby* 4. 11. *ab omni peccato liberat*? The Apoſtle ſeems to allude to, and explain this Text: For ſome Crimes there are, which Charity it ſelf cannot cover; ſhe may varniſh them over, but can never efface them; and theſe are ſins againſt Juſtice. To be ſhort, your very Repentance is falſe and counterfeit, *non agitur pœnitentia, ſed fingitur*; your hopes of pardon are ungrounded and impudent; and *when you ſpread forth your hands* to receive it, *I will hide mine eyes from you*: Your very Prayers, the only means left, become a freſh provocation, and heighten your guilt, *cum multiplicaveritis orationem, non exaudiam*, *when you multiply them upon me, I will not hear*.

Tob. 4. 7.

1 *Pet.* 4. 8.

Aug. ſupra.

Iſa. 1. 15.

But *why haſt thou ſet us up as a mark a-*

Job. 7. 20. *gainſt thee? Why haſt thou mark'd us out for*
Lament. 5. 20. ſlaughter, *O thou preſerver of Men! wherefore doſt thou forget us for ever, and forſake us ſo*
Iſa. 59. 3. *long a time? Becauſe your hands are defil'd with blood, and your fingers with iniquity.* If he who neglects to feed the Poor in neceſſity, is properly ſaid by St. *Auſtin* to Murther them, (*ſi non paviſti, occidiſti;*) certainly he who reduces them to neceſſity, and continues them in it, is guilty of a double Murther: *Manus veſtræ plenæ ſunt ſanguine, both your hands are full of Blood*; the one for *taking*, the other, for *detaining*. As for other offences which ſtrike only at himſelf, as all the breaches of the firſt Table, he alone can, and is ever ready to forgive them; but the injuries aimed at him through your Neighbour, as Detraction, Oppreſſion, Robbery, or Rapine, *non dimittitur peccatum*, &c. God cannot pardon them I ſay, by the ordinary courſe of his Grace, and without a Miracle, except the offenders ignorance be invincible, after he has uſed his beſt endeavours to inform himſelf in his Fortune and Eſtate, ac-
Tob. 2. 21. cording to the Example of Holy *Tobias*, *nè fortè furtivus ſit*, leſt any part of what he poſſeſſes came to him by indirect ways.

But

But what a phrenzy and alienation of mind is it in a *Chriſtian* to deſire thoſe Riches which Providence has refuſed him? If you did Lawfully poſſeſs thoſe Goods you Unlawfully enjoy, the *Baptiſt* would advice you to return them to the Donor in relief of the Poor: But what would he ſay, did he ſee us coveting our Neighbours Poſſeſſions, or detaining them with an Unjuſt Hand, tearing them from the Widow and the Orphan, and not regarding them, while their Cries, and Tears, and Prayers pierce the Heavens, and call down judgment upon us, from a God who vouchſafes to ſtile himſelf *the Refuge of the Oppreſſed*, Pſal. 9. 9. To become their Advocate, and *plead their Cauſe*, Pſal. 25. 1. and threatens *to break in pieces the Oppreſſour*, Pſal. 72. 4.

If God had deſigned to ſave you by Riches, he would have furniſhed you with lawful means of acquiring them: But he has thrown up the Ditches, and thickned the Fences, that you ſhould not break in upon them, foreſeeing you would abuſe them, they would ſeduce you. If God has beſtowed them upon you, he alſo has given you grace to uſe them to his

Honour;

Honour; but if you add to the Heap what you receive not from his Hand, you force him to withdraw his Grace, and disable you to use the rest as you ought. But a little, you may say, cannot be of such dreadful consequence: Yet it is not the quantity, but the quality of the Poyson which is Mortal. This Little which comes in by driblets, must go out in Great summs, when you come to restore; and when will you be dispos'd to render the arrears in *Quadruplum*, *Fourfold*, if you cannot now be perswaded to throw up the tenure, or pay in the Principal? God Almighty is no favourer of Interest upon other accounts, but in Restitution he exacts it. *Non sufficit solum reddere quod ablatum est, sed pro contumelia illata, plus debet reddere quàm abstulit*, saies our famous St. *Anselm.* If it be a little you unjustly possess, you ought to be more ready to refund; if it be much, you ought to be more careful. But what is a little to you, perhaps is the whole fortune and subsistence, the Daily Bread of the Sufferer. A little Injustice is like *the Leven*, it corrupts the whole Mass; it is *the Moth*, which devours the Treasure; it is *the Thief*, which breaks in,

Anselm. l. cur Deus Homo, c. 11.

Totum massum corrumpit Vulg. ζυμοῖ, fermentat. 1 Cor. 5. 6. *Mat.* 6. 19, 20.

in, and ſteals it away inſenſibly; the way, many Eſtates are conſumed, when No body could give an account by what means. Unjuſt poſſeſſions have this quality of the *Manna*; they taſte deliciouſly upon the Carnal Palate, but putrifie and become noiſome, if they are kept even till to morrow; Nay, they become Mortal, as ſoon as the perſon is ſatisfied they are unlawful.

Gabriel, *Soto*, *Leſſius*, and many others of the firſt Claſs, both Ancient and Modern Divines teach as a certain Truth, that every unjuſt Poſſeſſor, when he knows himſelf to be ſo, *continuò actu peccat*, ſins continually, not only by an *habitual* injuſtice mortally criminal, but alſo ſins *actually*, till the moment he reſtore. Be not ſurpriz'd at this Doctrine, it is grounded upon clear and undeniable Reaſon; for who does not reſtore when he can, wilfully detains anothers Goods: But a wilful detaining them is a new action, at leaſt *inſtar actionis*, equivalent to an action. Therefore as long as his Will to detain them does continue, ſo long the Injuſtice continues, ſo long the Injury, and, by evident Conſequence, ſo long the Actual Sin.

Gabriel in 4. d. 15. q. 2. a. 2. Soto l. 4. q. 7. a. 4. Leſſius de jure l. 2. c. 12. dub. 2.

Now

Now, *Chriſtian*, have you any thing to object againſt this, and not renounce that Name? Dare you reply in your thoughts, that if you reſtore what you wrongfully poſſeſs, you will not be able to bear up in the World according to your Condition? If this Reaſon be as Weighty, as it is Popular, you may as well ſteal, you may rob the Altar to live according to your Condition. Why cannot you reduce your ſelf for the ſake of Juſtice, to what other people do for Decency and Devotion? You will not be able perhaps to make ſo great a Figure in Court, nor Glitter ſo much at a Ball, nor be ſo Expenſive in Plays; you will want Oyl to feed your Exceſſes and Vanity: Now is not this an odd kind of Objection, when one of the Reaſons why God calls upon you to make Reſtitution, and to pay your Debts, is to remove you from the occaſions of Offending? But it will draw an Infamy upon me: Sure you are a great Stranger to Honeſty, who have ſo mean an opinion of it. Juſtice is honour'd, and revered, and applauded even by the Wicked; and the Fame of a *Zacheus* ſhall live for ever; and ſo long the Memory of an *Ahab* ſhall be in Execration. But

1 *Kings* 21. 1.

But if this Doctrine were reduced to practice, it would cauſe great changes in a Nation. So thought the States-men of *Galilee*; ſo *Herod* fear'd, when a *Baptiſt* preach'd it, *apprehendens nè novi aliquid fieret.* But what the conſequence would be, King *David* tells us, *veritas de terra orta eſt, & Juſtitia de Cœlo proſpexit*; when Juſtice looks down from Heaven, Truth ſprings up from the Earth, as it were to meet it. *Juſtice and Peace ſhall kiſs one another*, the Mother and the Daughter ſhall embrace; for Peace and Proſperity are the fruit of Juſtice. O ye ſons of men be Juſt, and fear no other conſequences than theſe; for *the Juſtice of the clear-hearted-man*, ſaies the Wiſe One, *ſhall level and make ſtrait his path*, *Juſtitia ſimplicis diriget viam*; *it ſhall conduct him ſafe to the end*, *liberabit eum*, it ſhall prolong his days, and deliver him from the death of ſin; *liberabit eum à morte*: It ſhall Crown him with Eternal Life, *in ſemitis ejus vita*: It ſhall win the Affection of the Almighty, *Qui ſequitur juſtitiam diligitur ab eo*; it exalteth a Nation; *elevat gentem*: and ſhall eſtabliſh the Throne; *firmabitur juſtitiâ Thronus.* Thus might St. *John* ſpeak, becauſe thus

Joſephus ſuprà.

Pſal. 85. 11.

Prov. 11. 5, 6.

Prov. 10. 2. 12. 28. 15. 9. 14. 34. 25. 5.

ſpeaks the Holy Ghoſt, who repleniſh'd him from the very Womb, and inſpir'd him with that Courage which the *Pſalmiſt* glories in, that *he ſpake of the Teſtimonies of God*, of Juſtice and Equity, *before Kings, and was not confounded*, though he was impriſoned: For nothing can confound a Precurſor or Preacher of Chriſt, but betraying his Miniſtery. And now he has diſcharg'd his Office; I hope, no one here will put him off, as *Felix* did St. *Paul*, when he had diſcourſed of the ſame Subject, *Tempore opportuno accerſam te, I will hear thee at a more proper ſeaſon*: I hope no body will think his Doctrine unſeaſonable, or if any one do; you will not find him *a Reed ſhaken with the Wind*: you will find him firm to Himſelf, and to his Character, *preaching the word in ſeaſon, and out of ſeaſon*. He will not change his Camels Hair for Soft Raiment, nor be taken off, nor mollified by the amuſements of a Court. He is the ſame Man in the Kings *Houſe*, as in the Kings *Priſon*: He will bid the Trades-man be juſt in his Dealing, the Rich to impart of their Superfluities to him that wants Neceſſaries; The Publicans and Collectors,

Pſal. 119. 46.

Act. 24. 26. *Diſputante autem illo de juſtitia*, &c.

Luk. 3. 11.

to

to exact no more than is appointed them, and to give a faithful account of what they receive; The Soldier, *to do Violence to no man, and to be contented with his pay*: He has a *Non Licet* for every one, and *a Baptiſm of Repentance* in their own Tears, *for the Remiſſion of Sin*: He has a Commiſſion to Threaten *every Tree which bringeth not forth good Fruit*, that it *ſhall be cut down, and caſt into the Fire*; and he has an Humble Petition to thoſe who Judge the World, that they will not think they perform their Duty to Juſtice, by obſerving it Religiouſly in their own particular, unleſs they cauſe it to be obſerved by all their Subjects, as far as their Knowledge and Power can reach; unleſs they redreſs the Wrongs of Innocents oppreſſed, and ſuffer no body to be condemned, without firſt being heard; unleſs they repair the breaches of the Publick Faith, and over-rule all Ordinances to the contrary; which can never tye up the Sovereign's Hands from reforming abuſes, though they oblige the Subject to a Paſſive Obedience, *to poſſeſs his Soul in patience*, and to forgive the injury, while he ſues to have it redreſſed. *Which God*, &c.

13.

14.

F I N I S.